

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Sri P.Gangadhar and Smt.N.Sailaja, Assistant Prohibition and Excise Superintendents – Request to restore their original date of regularization in the category of Assistant Prohibition and Excise Superintendent on par with their batchmates of 1986-87 batch – Accepted - Orders – Issued.

REVENUE (EXCISE.I) DEPARTMENT

G.O.Ms.No. 151

Dated:21.02.2011

Read the following:-

1. Orders of APAT, Dt: 19-12-2006 in OA.Nos. 3981/2005, 2074/2005, 1930/2005 & 4034/2005 with VMA.782/2005.
2. Orders of APHC, Dt: 10.02.2009 in W.P.No. 24108/2008, 25052/2008, 25050/2008 and 25051/2008.
3. Orders of Supreme Court Dt: 05-10-2010 in SLP.No. CC6512-6513/2010
4. Representation of Sri. P. Gangadhar, ACPE, Dated:08-07-2010.
5. From the CMP. Note No. 8542/CMP/2010, Dated: 28.07-2010 together with the Representation of Smt. N.Sailaja, ACPE.
6. Govt. Memo No. 31881/Ex-I(1)/2010, Dated: 21-07-2010 and 11-08-2010.
7. From CPE Cr.No.11183/2009/CPE/L3, Dated:16-09-2010.
8. Govt. Memo No. 31881/Ex-I(1)/2010, Dated: 09.12.2010.
9. A.P. Extraordinary Gazettee Notification No. 4 ,dt: 04.01.2011.
10. From the CPE,Cr.No. 11183/2009/CPE/L3, Dated: 08.02.2011.

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ORDER:

In the reference 7th read above, the Commissioner of Prohibition and Excise, Hyderabad has stated that Sri. P.Gangadhar and Smt.N.Sailaja have joined in the Department on 1-8-1987 as Assistant Excise Superintendents by way of Direct Recruitment in Multi Zone-II. Later, Sri.P.Gangadhar applied for Multi Zonal Transfer to Multi Zone – III and Smt. N.Sailaja to Multi Zone- I on spousal grounds. The Government, vide GO.Ms.No.880, Rev. Dept dt:26.12.1988, have issued orders transferring the above Officers from M.Z-II to M.Z-III (Sri.P.Gangadhar) and M.Z-I (Smt.N.Sailaja) under 5 (2) (c) of the Presidential order. Further both the Officers joined at the respective Multi Zones on 05.01.1989.

2. Government, while finalizing the seniority of Assistant Excise Superintendents in accordance with the judgment of Hon'ble High Court in W.P. No.4272/01 and Batch dated: 24-12-2003, assigned seniority to the individuals from the date of their joining in Multi Zone-III and I respectively. Aggrieved by this, Sri.P.Gangadhar has filed O.A.No.3981, 2074 of 2005 and Smt. N.Sailaja has also filed O.A.No.1930, 4034 of 2005, for assigning seniority in the Zone to which they were transferred from their original dates of regularization ie., 01-08-1987. The Hon'ble Andhra Pradesh Administrative Tribunal, in its common orders dated:19.12.2006, vide reference 1st

cited have directed that the petitioners are entitled to the original dates of regularization ie., 01-08-1987.

3. Against the above orders of the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad, Government have filed W.Ps before the Hon'ble High Court in WP.No.24108, 25052, 25050 and 25051 of 2008 and the Hon'ble High Court in its orders dated:10-02-2009, vide reference 2nd cited have dismissed the W.Ps.

4. Against the above dismissal orders of the Hon'ble High Court, AP, Hyderabad, Government have filed SLPs before the Hon'ble Supreme Court in SLP.No.CC No.6512-6513/2010 and the Hon'ble Supreme Court in its orders dated: 05.10.2010, dismissed the SLPs. Therefore, the orders of the Hon'ble Andhra Pradesh Administrative Tribunal, dated 19-12-2006 have become final.

5. The seniority of Sri P. Gangadhar and Smt. N. Sailaja has to be assigned from the date of their original appointments along with their direct recruit batchmates.

6. The Commissioner of Prohibition and Excise, Hyderabad has further stated that Sri P. Gangadhar and Smt.N.Sailaja, Assistant Commissioner of Prohibition and Excise have to be assigned seniority in the cadre of Assistant Prohibition and Excise Superintendents with effect from 01-08-1987 and consequential seniority in the cadre of Prohibition and Excise Superintendents and Assistant Commissioner of Prohibition and Excise by convening Review Departmental Promotion Committees. Since, the Government have finalized the seniority for the relevant years, the Government have to revise the seniority from the cadre of Assistant Prohibition and Excise Superintendents and above.

7. The Commissioner of Prohibition and Excise, Hyderabad has further informed that in the final Integrated Seniority List of Assistant Prohibition and Excise Superintendents, issued in G.O.Ms. No. 501 Rev (Ex-I) Dept, Dt: 15.04.2005, the 1987 batch Direct Recruit Assistant Prohibition and Excise Superintendent have been placed at Sl.No.216 to 223 as given below:

- 216. D.Yungandhar Raju
- 217. T.Prasad
- 218. A.V.Narasimha Rao
- 219. V.Uma Maheswara Rao
- 220. C.Janardhan
- 221. A. Chandrasekhara Naidu
- 222. S.Aravinder Singh
- 223. P.Chandra Mouli.

8. In the reference 8th read above, Government have provisionally accepted the request of Sri P.Gangadhar and Smt. N.Sailaja, Assistant Commissioners of Prohibition and Excise, to revise their seniority in the cadre of Assistant Prohibition and Excise Superintendent from the date of original appointment i.e. 01-08-1987 in accordance with Rule 33(b) of Andhra Pradesh State and Subordinate Service Rules, 1996.

9. In the A.P. Extrodinary Gazettee No.4, Dt: 04.01.2011 notices have been issued to all the affected persons, directing to file their objections if any within a period of (15)

days from the date of receipt of the notice to the Commissioner of Prohibition and Excise, Hyderabad.

10. The Commissioner of Prohibition and Excise, Hyderabad in his letter dated: 08.02.2011 has stated that no objections have been received from the affected persons so far.

11. After careful examination of the matter Government hereby restore the original seniority of Sri P.Gangadhar and Smt. N.Sailaja, Assistant Commissioners of Prohibition and Excise, with reference to their original date of regularization i.e. 01.08.1987 in the category of Assistant Prohibition and Excise Superintendent. In the seniority list the inter-se-seniority of 1987 batch of direct recruit Assistant Prohibition and Excise Superintendents including Sri P. Gangadhar and Smt. N.Sailaja shall be in accordance with Rule 33(b) read with Rule 36(i) of A.P. State & Subordinate Service Rules, 1996 as given below.

Sl.No.	Name of the DR AESs	Zone	APPSC Merit Rank
1.	T.Prasad	MZ-III	1
2.	V. Uma Maheswara Rao	MZ-III	2
3.	A. Chandrasekhara Naidu	MZ-II	3
4.	C. Janardhan	MZ-III	4
5.	S. Aravinder Singh	MZ-III	5
6.	P. Gangadhar	MZ-II/III	6
7.	P. Chandra Mouli	MZ-III	7
8.	D.Yugander Raju	MZ-I	8
9.	N. Sailaja	MZ-II/I	9
10.	A. V. Narasimha Rao	MZ-III	10

12. The Commissioner of Prohibition & Excise is requested to take necessary action accordingly and submit proposals to Government for notional promotion of Sri P. Gangadhar and Smt. N. Sailaja to the cadre of Prohibition and Excise Superintendent on par with their juniors.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner of Prohibition & Excise,
Andhra Pradesh, Hyderabad.

The individuals through Commissioner of Prohibition and Excise, Hyderabad
Copy to:

The Govt. Pleader, Revenue (Ser), APAT, Hyderabad.
The PS to Spl. Chief Secretary to CM.

The PS to Minister for Prohibition and Excise.
The PS to Prl. Secretary to Govt.,(AM).

SF/SCs.

// FORWARDED: BY ORDER//

SECTION OFFICER